



Attorney Docket No.: 13688-002001

1600

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Diane L. Schaak
Serial No. : 10/025,598
Filed : December 18, 2001
Title : TOXIN-PHAGE BACTERIOCIDIC ANTIBIOTIC AND USES THEREOF

Art Unit : 1614
Examiner :

Commissioner for Patents
Washington, D.C. 20231

COPY OF PAPERS
ORIGINALLY FILED

REQUEST TO CORRECT FILING DATE

Applicant requests that the filing date of the above application be corrected from December 19, 2001 to December 18, 2001.

Enclosed is a copy of the return postcard, stamped December 19, 2001 by the PTO. This date is in error. The correct filing date should be December 18, 2001, as shown by the enclosed copies of:

1. The application transmittal letter and the application cover sheet bearing a signed certificate under 37 CFR §1.10, including the Express Mail receipt number EL932079390US, and a date of deposit of December 18, 2001;
2. The Express Mail receipt number EL932079390US, postmarked December 18, 2001; and
3. The Declaration of Lisa G. Gray, who delivered the application to the U.S. Post Office on December 18, 2001.
4. The return postcard, dated December 18, 2001, but stamped incorrectly by the Patent Office as December 19, 2001.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

June 24, 2002
Carrie A. Amonte
Carrie A. Amonte

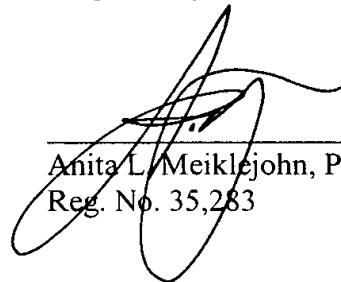
Applicant received the Official Filing Receipt showing the incorrect filing date of December 19, 2002. To further aggravate matters, this error went undetected by Applicant's attorney and the formal papers were filed in response to the Notice to File Missing Parts reflecting the incorrect date of December 19, 2001. Applicant has executed a corrected Declaration and Power of Attorney and Assignment, and submit them herewith to replace the formal papers filed April 3, 2002. The Assignment is being submitted with the recordation fee of \$40.00 as required. The substitute Declaration and Power of Attorney should replace the one filed April 3, 2002.

Applicant also submits herewith a Request for Correction of Official Filing Receipt. Applicant respectfully requests that the filing date of this application be corrected as soon as possible and a corrected Official Filing Receipt be issued.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 24 JUNE 2002



Anita L. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, Massachusetts 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

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REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

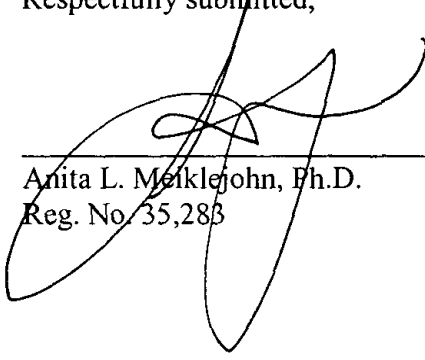
Please correct the Filing Receipt for the above-referenced application to correct the filing date to read December 18, 2001. This request is being submitted together with a Request to Correct Filing Date and supporting documents.

Please supply a corrected Filing Receipt to the undersigned with respect to this application. A copy of the original Filing Receipt showing the desired changes in red ink is attached for your convenience.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 24 JUNE 2002


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June 24, 2002
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Carrie A. Amonte
 Signature

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 Typed or Printed Name of Person Signing Certificate